

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA

v.

KYLE POLLAR

Criminal No. 1:23-cr-00041-SDN

**PROSECUTION VERSION
Counts 1-4**

Between on about September 6, 2022 and September 16, 2022, in the District of Maine and elsewhere, the Defendant KYLE LAWLESS POLLAR, knowingly and willfully devised, intended to devise, and participated in a scheme and artifice to defraud, as to material matters, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, by knowingly transmitting and causing to be transmitted by means of wire communication in interstate commerce any writings, signs, signals and sounds for the purpose of executing such scheme and artifice, and did aid and abet such conduct.

Specifically, on or about October 20, 2022, the FBI started an investigation based on an IC3.gov¹ complaint filed by an individual from Stonington, Maine (“Victim-1”) on September 20, 2022. Victim-1 reported a loss of approximately \$400,000 via wire transfers and purchases from Maine Savings Federal Credit Union (“Maine Savings”). Victim-1 was subsequently interviewed by law enforcement. He stated that he was on a sailing trip with his wife from Friday, September 2, 2022 until Tuesday, September 13, 2022. Upon returning from his trip, he attempted to log into his Maine Savings account

¹ The Internet Crime Complaint Center, or IC3, is the Nation’s central hub for reporting cybercrime. It is run by the FBI, the lead federal agency for investigating cyber crime. See www.ics.gov.

and realized that his login credentials did not work. He contacted the bank via telephone and provided the proper verification credentials to gain access to his account. Victim-1 requested the username and password be reset. He was then able to log into the account successfully. Multiple wire transfers were viewed on his online statement.

Investigation subsequently disclosed that on August 30, 2022, Maine Savings received a telephone call from someone claiming to be Victim-1. This person wanted to check his Maine Savings account balance. This person also updated the contact phone number. The same person called back approximately four minutes later to update his email address. The investigation revealed that this person was not the defendant Kyle Pollar ("Pollar"). The identity of this person remains unknown.

Over a period of approximately two weeks, several transfers from Victim-1's HELOC to his savings account occurred via telephone. Subsequently, on September 06, 2022, a wire transfer was processed for \$98,680.00 from Victim-1's savings account and it was transferred to a PNC bank account in Texas under account number ending in 0222 with Pollar as the listed recipient. On September 12, 2022, a wire transfer from Victim-1's savings account was processed for \$97,850.00 and it was transferred to a PNC bank account under account number ending in 0222 with Pollar as the listed recipient. On September 15, 2022, a wire transfer from Victim-1's savings account was processed for \$66,000.00. It was transferred to Tarrytown Jewelers under invoice number 10816 and the items purchased were shipped to the address of 1802 Geary Street, Garland, Texas 75043. On September 16, 2022, a wire transfer from Victim-1's savings account was processed for \$98,350.00 and it was transferred to a PNC bank account under account number ending in 0222 with Pollar as the listed recipient.

The four wire transfers via telephone totaled \$360,880.00. The prior balance on Pollar's PNC account prior to these transactions was \$0. The September 6, 2022 wire transfer (and associated fees) was the first transaction in the account. Kyle Pollar is the only individual listed on the PNC bank account number 4725480222. The "Account Registration and Agreement" for the PNC account contains Pollar's signature.

Between September 6, 2022 and October 11, 2022, Pollar withdrew the following from his PNC account under account number ending in 0222: (1) \$146,810 in cash and (2) \$107,000 via four cashier's checks. Three of these PNC cashier's checks totaling \$76,000 were deposited in a Truist Bank account in Texas that was solely registered to Kyle Pollar. These three cashier's checks were deposited on September 7, 9, and 13, 2022. For the cashier's check deposit on September 9, 2022, the Truist Bank security cameras captured the individual making the deposit. Based on a comparison to his driver's license, the individual making the deposit is Kyle Pollar. Prior to these deposits, the balance in Pollar's Truist bank account was \$90.15. Between September 9, 2022 and September 19, 2022, Pollar withdrew \$76,000 in cash from his Truist account. Truist Bank security cameras captured Pollar withdrawing \$5,000 in cash on September 10, 2022. Similarly, Pollar is seen withdrawing cash on September 16, 2022 and September 19, 2022.

On September 19, 2022, one of the PNC cashier's checks totaling \$31,000 was deposited in a Credit Union of Texas account that was solely registered to Kyle Pollar. Credit Union of Texas provided a "Membership Application and Account Authorization" which provides Pollar's name, address, employer, correct date of birth, and signature. The account was opened on September 19, 2022 (the date on the Membership

Application) and the deposit of the cashier's check was the first transaction in the account. On September 30, 2022, Pollar withdrew \$30,000 in cash from his Credit Union of Texas account. Prior to the September 19, 2022 deposit, the balance in this account was \$0.

If this matter had proceeded to trial, the government would present the following evidence: (1) testimony from Victim-1 about his Maine Savings Account; (2) testimony and documentary evidence from a representative from Maine Savings about the unauthorized access to the account; (3) testimony and documentary evidence from PNC Bank, Truist Bank, and Credit Union of Texas regarding the accounts opened by Pollar; and (4) video evidence from Truist bank showing Pollar making deposits and cash withdrawals.

Dated: January 2, 2024

Respectfully submitted,

DARCIE N. MCELWEE
United States Attorney

/S/ ANDREW MCCORMACK
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that on January 2, 2024, I electronically filed the forgoing Prosecution Version with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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